

## REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1, 4, 11, 26-32 and 34 have been amended to present the claims in better form for allowance and for possible consideration on appeal. Applicant respectfully requests the Examiner to accept the proposed amendments. Claims 5, 7-10 and 14-25 have been cancelled without prejudice. No new claims have been added. Therefore, claims 1-4, 6, 11-13 and 26-35 are now are presented for examination.

### 35 U.S.C. § 102 Rejection

Claims 1-2 stand rejected under 35 U.S.C. §102(e), as being anticipated by Foote, et al., U.S. Application No. 2002/0028021 (“Foote”).

Claim 1, as amended, in pertinent part, recites “determining a probability of whether one or more synthesized transition effects are present at one of the plurality of sub-sections of said video stream, wherein the one or more transition effects are of a specified number and a specified type” (emphasis provided).

Foote discloses techniques for classifying video frames using statistical models of transform coefficients (Abstract). For example, Foote teaches the probability of a feature vector being produces by an image class statistical model is computed. In Foote, step 3002 is used to classify a frame into an image class. Foote, however, does not teach or reasonably suggest a probability of whether one or more synthesized transition effects are present . . . [and] one or more transition effects are of a specified number and a specified type, as recited by claim 1. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of claim 1 and their dependent claims.

### **35 U.S.C. § 103 Rejection**

Claims 3-4, 6, 11-13, 19, 21-23 and 26-31 stand rejected under 35 U.S.C. §103(a), as being unpatentable by Foote et al., in view of Wilcox et al. U.S. Patent No. 6,072,542 (“Wilcox”).

Claims 3-4 and 6 dependent of claim 1 and incorporate the limitations of the base claim.

Claim 11 recites “transition sequence including one or more synthesized transition effects of a specified number and a specified type . . . [and] the transition sequence is inserted into the video sequence” (emphasis provided). Foote classifies frames in a video into classes (Abstract), but does not teach or reasonably suggest inserting transition sequence into the video sequence, where the transition sequence includes one or more synthesized transition effects of a specified number and a specified type, as recited by claim 11. Wilcox discloses a technique for detecting video shot boundaries (Abstract). Foote and Wilcox, neither individually nor when combined teach or reasonably suggest the limitations of claim 11.

Claim 26 contains limitations similar to those of claim 11. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of claim 26 and its dependent claims.

### **35 U.S.C. § 103 Rejection**

Claims 32-35 stand rejected under 35 U.S.C. §103(a), as being unpatentable by Foote et al., in view of Szeliski et al., U.S. Patent No. 6,636,220 (“Szeliski”).

Claims 32, in pertinent part, recites “a transition sequence having one or more synthesized transition effects of a specified number and a specified type, wherein prior to

generating the video sequence, a duration of said transition is determined based on a probability distribution” (emphasis provided). Szeliski discloses generating a new video sequence from frames taken from an input video clip. For example, in Szeliski, frames of an input video sequence are analyzed in terms of similarity, and a new video sequence is generated by rearranging and duplicating the frames of the original video clip (col. 13, lines 30-50). Each of the frame generated in Szeliski is an existing frame from the input video and not a synthesized transition effect. Szeliski fails to teach or suggest the limitations of claim 32. Accordingly, Applicant request the withdrawal of the rejection of claim 32 and its dependent claims.

### **Conclusion**

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.


### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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